

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY HALE,

Plaintiff,

CASE NO. 1:10-CV-1008

v.

HON. ROBERT J. JONKER

CORRECTIONAL MEDICAL
SERVICES, INC., *et al.*,

Defendants.

_____ /

ORDER APPROVING AND ADOPTING
REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action (docket # 64). The Report and Recommendation was duly served on the parties on August 21, 2012. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed August 21, 2012, is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's Motion to File a Third Amended Complaint (docket # 42) is **DENIED**.

IT IS FURTHER ORDERED that the Motions for Summary Judgment filed by Defendants PA Ouellette and Dr. Gelabert (docket # 43) and Dr. Sohail (docket # 46) are **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED**.

IT IS FURTHER ORDERED that for the same reasons that the Court dismisses the action, the Court discerns no good-faith basis for an appeal within the meaning of 28 U.S.C. § 1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Dated: September 25, 2012

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE